

Testimony of Charlie Crist, Attorney General of Florida
Before the House Judiciary Committee
Subcommittee on Crime, Terrorism and Homeland Security
June 7, 2005

Good afternoon Chairman Coble, Ranking Member Scott, and distinguished members of the Subcommittee.

On behalf of the State of Florida and the many state attorneys general, I thank you for this opportunity to address a problem that is as horrific as it is pervasive.

The problem of sex crimes against children has been a blight on society for far too long, but it seems to have exploded onto the national consciousness as a result of a series of recent high-profile cases. Sadly, several of these cases have occurred in my own state. I believe this is more a consequence of our state's appeal to newcomers than it is an indication of any systemic problem unique to Florida, but it has made us acutely aware of the complexities of this issue.

Florida is home to some 34,000 registered sex offenders, approximately 5,000 of whom are classified as sexual predators. The odds are that in every neighborhood, in every city, there is a sex offender living down the street. It is highly likely that every Floridian – and probably every American – drives past the home of a sex offender on a regular basis without even knowing it.

I believe it was no accident that the Founding Fathers stressed the importance of safety and security by placing in the very first line of the U.S. Constitution the mandate that the very purpose of our government is "to insure domestic tranquility." Little we do as public servants will really matter if we do not do something to prevent our most innocent citizens from falling victim to the unspeakable horrors committed by sex offenders and predators.

The experts tells us that someone who has molested a child will do it again and again. Child molesters are dangerous, and they will remain dangerous as long as they can roam unimpeded in our neighborhoods, our schools, our churches, our playgrounds.

To make a meaningful difference, I believe we will have to employ a multi-faceted strategy embracing a wide range of approaches including prevention and education, tracking and enforcement.

Beginning with the tragic abduction and murder of 11-year-old Carlie Brucia in Sarasota 16 months ago, Florida has taken numerous steps to protect children from the monsters who would prey on them. There is still much work to be done, but I believe these initiatives represent an important start.

Prevention and Education

The best way to eliminate sex crimes against children, of course, is to prevent them

from happening in the first place. We may never be able to totally eliminate the predators who commit these deviant acts, so we must do what we can to keep young boys and girls from becoming their victims.

In Florida, we have directed our prevention and education initiatives at both parents and children.

One of our most important steps forward was taken three weeks ago with the help of an outstanding corporate citizen, Pitney Bowes. On May 17, Pitney Bowes Chairman and CEO Michael Critelli and I unveiled an enhanced state website that for the first time lets parents and other Floridians zero in on registered sex offenders who live nearby.

The Florida Department of Law Enforcement maintains a database of 34,000 registered sex offenders and sexual predators, one of the largest of its kind in the nation. For the past 10 years, a website maintained by that agency has allowed Floridians to search for sex offenders and predators.

This has been an extremely useful service, but it was limited. Parents could find out which sex offenders were registered to live in the same town or zip code. But unless a parent was familiar with every street in the zip code, it was not always possible to know just how close the offender lived.

Now, thanks to user-friendly software developed by Pitney Bowes and donated to the State of Florida, parents can type in their home address – or, if they prefer, their child's school address, church or any other place they choose – and see how many sex offenders live within one mile. If they wish, they can expand the search up to five miles.

The new system crosses zip code and city or county lines, so it lets you know if sex offenders or sexual predators live close by, even if they live in a different zip code or county. It will tell how far away the sex offender lives, and can even produce a map so parents can figure out alternate routes for their children to travel safely. With a few more clicks, an internet user can visit our state Department of Corrections web site and pull up a mug shot, prison history and other information about any sex offender they find in their neighborhood.

When we announced the new system, we did a sample search to see whether any registered sex offenders lived near the State Capitol in Tallahassee. Much to our surprise, we found that there are 96 sex offenders living within three miles of the Capitol – with the nearest one just three-tenths of a mile away.

Thanks to our new search website, parents and others throughout Florida will be able to pinpoint the addresses of registered sex offenders and predators, virtually anywhere in our state.

Two other important elements of our prevention efforts are aimed at the children themselves.

Last year our office placed a link on our home page for NetSmartz, an interactive educational safety resource that teaches kids and teens how to stay safer on the Internet. NetSmartz was put together by the National Center for Missing and Exploited Children and the Boys & Girls Clubs of America, and is aimed at children ages 5 to 17.

As adults, we all immediately recognize the risks to children associated with the Internet. But the harsh reality is that, despite our best efforts, children will explore the online world without an adult to supervise them. That is why it is especially important that children learn that people they first "meet" on the Internet should never be considered a friend. They must learn what kinds of questions and pictures are inappropriate, and to tell a trusted adult if they are ever approached online with such information.

NetSmartz offers helpful information through age-appropriate interactive lessons. It can reach children in a way most adults cannot. This makes it another valued facet of our efforts to use a combination of prevention and education, tracking and enforcement to stop sex offenders from threatening our children.

Our other program for children was launched last October when we introduced the Escape School program to Florida. At hour-long programs conducted at public schools throughout the state, experts teach children how to make smart, safe choices in potentially dangerous situations. We want children to know how to do whatever it takes to get away from someone who might harm them.

To date, our office has conducted 25 Escape School programs attended by some 4,669 Florida children and parents. We hope no Florida child is ever forced to rely on the skills taught at Escape School. But it is comforting to know that so many children have had the opportunity to learn the techniques, just in case.

Tracking

The February 2004 murder of Carlie Brucia shocked the nation. Millions of Americans saw the horrifying security camera video of this precious 11-year-old girl being abducted from a parking lot, and all of Florida mourned when it was learned that Carlie had been killed.

That sadness turned to anger when it was learned that her accused killer was a man whose history showed a propensity for violent crimes. He had violated terms of his probation – but had not been reincarcerated for these violations.

The months that followed Carlie's murder brought reports of more terrible crimes against young Floridians by perpetrators who had histories of criminal violence.

These awful incidents came to a head with the murders earlier this year of 9-year-old Jessica Lunsford and 13-year-old Sarah Lunde. The men who confessed to abducting, raping and killing each girl were convicted sex offenders. The man who said he killed

Jessica was a probation violator who registered with local authorities as required by law – but then moved to a mobile home 150 yards from Jessica’s home without telling anyone.

Jessica’s father, Mark Lunsford, is a true American hero. Just weeks after his beloved daughter was ripped from his life forever, this quiet, unassuming man was in Tallahassee promoting legislation to make sure no other Florida father had to endure the anguish he was still experiencing. The result was the Jessica Lunsford Act, which establishes longer prison sentences for criminals who sexually molest children and requires tracking devices once they do get out.

This measure could not have become law without the extraordinary efforts of Mark Lunsford, as well as “America’s Most Wanted” host John Walsh – himself a Floridian whose son was abducted, sexually assaulted and murdered. Governor Jeb Bush also deserves praise for quickly signing this bill into law.

As helpful as the Jessica Lunsford Act may be, I believe it does not go far enough to stop sex offenders from violating probation and victimizing more young children. Using ankle bracelets with GPS technology to track sex offenders will let us know where they are, but it will not prevent them from committing more crimes. The only way to make sure they do not ruin the lives of more young children is to keep them locked up in the first place.

We know the people who are committing these horrible crimes. They are people who already committed crimes. They are people who, at least in Carlie and Jessica’s cases, violated the terms of their probation. To stop these people, I will continue pushing the Florida Legislature to change the law in order to require that violent felons who violate probation be returned directly to jail unless a judge holds a hearing and determines that the offender does not pose a danger to the community.

Tracking bracelets are good – but prison bars are better.

Enforcement

All indications are that Jessica Lunsford and Sarah Lunde were careful, intelligent girls, yet they were still abducted from their own homes. There are some things that education programs simply will not prevent. Ultimately, our ability to limit the activities of sex offenders who prey on children will depend on enforcement and prosecution.

Just last week, my office won a conviction against a 52-year-old man who tried to use an Internet chat room to lure a 13-year-old boy to his home to engage in sexual activity and to view child pornography. Unfortunately for the man, the 13-year-old boy turned out to be an undercover officer, and now this sex offender faces up to 75 years in prison.

Local law enforcement throughout Florida, and I am sure throughout the nation, has

done a remarkable job responding in the wake of so many terrible incidents. Allow me to give you an example from the small North Florida town of Green Cove Springs, population about 5,600.

Police Chief Gail Russell made a decision that sex crimes against children would be a priority. In the past 18 months, the police department has arrested 14 “travelers” in cases where a child has left home or been targeted by an adult, via the Internet, to leave home. The police department has identified and referred 10 cases to other jurisdictions, one of which involved 20 potential child victims in other states. One computer seized through the department’s efforts contained 3,000 pornographic images of children and 1,000 videos.

This is a clear example of what even a small police department can do when it makes sex crimes against children a priority. But they cannot do it alone. I am pleased that last month, the Florida Legislature agreed to establish a Cyber Crime Unit within the Attorney General’s Office. This small but dedicated unit will target internet crimes against children and will work closely with local law enforcement agencies throughout the state.

We at the state level will do whatever we can to support these efforts. But in today’s mobile and electronic society, sex crimes know no political boundaries. That is why we are so encouraged to see your subcommittee, and the entire Congress, giving serious consideration to national legislation to address this issue.

In the aftermath of Carlie Brucia’s death, Congresswoman Katherine Harris offered a significant proposal to create a national sex offenders registry. I enthusiastically support establishment of such a system, and offer the full assistance of my office to bring this to fruition. For a state like Florida, which attracts so many from other areas, a national registry would make it much easier for local law enforcement agencies to learn when sex offenders from other places move into our state.

I am also gratified by the strong commitment shown by other members of Florida’s Congressional Delegation, especially Representatives Mark Foley and Ginny Brown-Waite, to finding workable solutions to this most difficult problem.

We also support the Department of Justice’s work coordinating efforts to link various state offender databases. Short of a full-fledged nationwide registry, such a system of inter-connected state databases would be a meaningful help to local and state agencies. The Department’s participation in joint local-state-federal operations, including two Internet Crimes Against Children (ICAC) task forces in Florida, has been indispensable in bringing offenders to justice.

As I said earlier, we cannot rely on one single approach, or one single level of government, to successfully target sex crimes against children. We must maintain and expand prevention initiatives, tracking activities and enforcement efforts. We must fight the battle at the local level and the state level.

But in the end, the success of these efforts will depend on the overall coordination and resources that can come only through a nationwide commitment to wiping out this blight.

With the well-being of American youth at stake, no amount of commitment can be considered too much.

I commend this subcommittee for its interest in this important issue, and I look forward to working with you as we craft meaningful national legislation to protect America's children.

Again, Mr. Chairman, I am grateful for the opportunity to contribute to this hearing and to help ensure that the legacies of Carlie Brucia, Jessica Lunsford, Sarah Lunde and so many other innocent victims of sexual predators will serve to prevent other such tragedies in the future.

Thank you.

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